

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
CHATTANOOGA DIVISION**

CYNTHIA HUGHES,

Plaintiff,

v.

C R BARD, INC., et al.,

Defendants.

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CASE NO.: 1:20-cv-00244-DCLC-HBG

MOTION FOR LEAVE TO WITHDRAWAL AS COUNSEL

COMES NOW, Darren McDowell and Eric Przybysz, of the law firm Fears Nachawati Law Firm, PLLC, respectfully moves this Court to allow him to withdraw as counsel for Plaintiff Cynthia Hughes in this matter. In support of this motion, the undersigned show as follows:

The above-captioned case was initially filed in the United States District Court for the Northern District of Texas where it was captioned *Cynthia Hughes v. C. R. Bard, Inc. et al.*, 3:20-cv- 02190. On August 26, 2020, this case was transferred to this Court pursuant to the to the Order granting the Amended Motion to Sever and Transfer Venue of Out-of-State Plaintiffs' Cases [Dkt. No. 25].

Darren McDowell, Steven S. Schulte and Eric Przybysz from the law firm Fears Nachawati Law Firm, PLLC previously appeared on Plaintiff's behalf while this case was pending in the United States District Court, Northern District of Texas.

Now, since this case has been transferred to this Court, Joe P Leniski , Jr. from the law firm Branstetter, Stranch & Jennings, PLLC and Steven S. Schulte of the law firm Fears Nachawati Law Firm, PLLC have been retained by Plaintiff to substitute for Mr. McDowell and Mr. Przybysz as trial counsel.

For the convenience of the Court and opposing counsel, Plaintiff respectfully moves the

Court to grant the withdrawal of Mr. McDowell and Mr. Przybysz and substitution of Plaintiff's counsel as set forth in this Motion.

Accordingly, Mr. McDowell and Mr. Przybysz hereby respectfully request leave to withdraw their appearance, *instantly*, and respectfully ask that they be removed from the Court and party service lists; and that any notices, motions, and other filings no longer be directed to them, whether through the CM/ECF filing system or otherwise.

Plaintiff further respectfully requests that the Court grant the following substitution as lead counsel for Defendants:

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Mr. Leniski has already filed Notices of Appearance with the Court. Mr. Schulte has been granted admission to appear *pro hac vice*. Plaintiff respectfully asks that the service list be updated to reflect the withdrawal and substitution of counsel in this matter.

WHEREFORE, premises considered, Plaintiff respectfully requests that the Court grant this motion allowing for withdrawal and substitution of counsel.

Dated October 2, 2020

Respectfully submitted,

/s/ Steven Schulte
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served upon all known counsel of record by electronic service in accordance with the Federal Rules of Civil Procedure on this 2nd day of October 2020.

/s/ Steven Schulte

Steven Schulte